

UNITED STATES DISTRICT COURT
 for the
 Western District of North Carolina

United States of America

v.

Brent Michael Green

Date of Original Judgment:

December 16, 2003

Date of Last Amended

Judgment:

January 4, 2010

)
) Case No: 3:03CR16-4
) USM No: 19276-058
)
)
) Charles Brewer
 Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of the defendant the Director of the Bureau of Prisons the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

DENIED. GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ is reduced to _____

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Original Offense Level: 37
 Criminal History Category: II
 Original Guideline Range: 235 to 293 months

Amended Offense Level: 35
 Criminal History Category: II
 Amended Guideline Range: 188 to 235 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

The reduced sentence is within the amended guideline range.
 The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing and the reduced sentence is comparably less than the amended guideline range.
 The reduced sentence is above the amended guideline range.
 Other (explain): The application of Amendment 750 provides no change in the guideline calculations in this case. (The guideline calculations remain the same after Amendment 706 was applied and the defendant received a reduction to 143 months custody on January 4, 2010.)

III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the judgment dated December 16, 2003, shall remain in effect.

IT IS SO ORDERED.

Order Date: December 5, 2011

Effective Date: 12-14-11
 (if different from order date)

Title of Signing Officer
 United States District Court